



Atty Doc. No. HME/7679.0012

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**PATENT APPLICATION EXAMINING OPERATIONS**

In re the Application of :  
Yunik Chang and Gordon Dow : Group Art Unit: 1623  
Serial No. 10/033,835 : Examiner: Leigh C. Maier  
Filed: December 24, 2001 : Date: September 22, 2003  
For a Patent for :  
AQUEOUS COMPOSITIONS CONTAINING :  
METRONIDAZOLE :

RECEIVED  
OCT 01 2003  
TECH CENTER 1600/2900

**THIRD INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits herewith copies of patents and publications of which he is aware and which he desires to have considered by the Patent Office in accordance with 37 CFR §1.97. In accordance with 37 CFR §1.97(c), each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement, and the fee set forth in 37 CFR §1.17(p) is submitted herewith..

In accordance with 37 CFR §1.97(h), the filing of this Information Disclosure Statement will not be regarded as an admission that any patent or publication or combination of patents referred to herein is, or is considered to be, material to patentability under 37 CFR §1.56(b) unless specifically designated as such.

A list of the patents and publications enclosed herewith is set forth on the attached 2 pages of Information Disclosure Statement by Applicant.

The person making this statement is the attorney who signs below on the basis of the information supplied by the inventor and the information in his file.

Respectfully submitted,



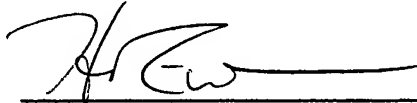
Howard M. Eisenberg  
Reg. No. 36,789  
1600 ODS Tower  
601 S.W. Second Avenue  
Portland, OR 97204-3157  
Attorney for Applicant  
Tel: (503) 227-5631

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 22, 2003.

Dated: \_\_\_\_\_

9/22/03



Howard M. Eisenberg



1623\$

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	10/033,835	
	<b>Filing Dat</b>	December 24, 2001	
	<b>First Nam d Inventor</b>	Yunik Chang	
	<b>Group Art Unit</b>	1623	
	<b>Examiner Name</b>	Leigh C. Maier	
<b>Total Number of Pages in this Submission</b>	5*	<b>Attorney Docket Number</b>	HME/7679.0012

RECEIVED  
OCT 01 2003  
TECH CENTER 1600/2900

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee transmittal form <input checked="" type="checkbox"/> Fee attached  <input type="checkbox"/> Amendment <input type="checkbox"/> After Final/ Response <input type="checkbox"/> Affidavits/Declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified copy of Priority Documents  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing Related Papers  <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Small Entity Statement  <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Additional Enclosures (identify below) 1 US Patent Reference 1 Non-US Patent Reference
Remarks: * - plus enclosed references		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT	
<b>Firm or Individual Name</b>	Howard Eisenberg, Esq. 1600 ODS Tower, 601 Second Avenue Portland, Oregon 97204
<b>Signature</b>	
<b>Date</b>	September 22, 2003

CERTIFICATE OF MAILING			
I hereby certify that, on the date shown below, this correspondence is being deposited with the United States Postal Service in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, <input checked="" type="checkbox"/> with sufficient postage as first class mail <input type="checkbox"/> as "Express Mail Post Office to Addressee" - mailing label no. _____			
<b>Typ or print name</b>	Howard Eisenberg		
<b>Signature</b>		<b>Date</b>	Septemb r 22, 2003



# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37CFR 1.27

TOTAL AMOUNT OF PAYMENT \$180

Complete If Known

Application Number 10/033,835

Filing Date December 24, 2001

First Named Inventor Yunik Chang

Examiner Name Leigh C. Maier

Art Unit 1623

Attorney Docket No. HME/7679.0012

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account

Deposit Account Number 50-1773

Deposit Account Name Howard Eisenberg, Esq.

The Commissioner is authorized to: (check all that apply)

☒ Charge fees indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☒ Charge any fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Code (\$)	Code (\$)		
1001 740	2001 370	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 510	2003 255	Plant filing fee	
1004 740	2004 370	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			\$0

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
58	-58** = 0	9	0
Indep. Claims 6	-6** = 0	42	0
Multiple Dependent			0

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	**Reissue independent claims over original patent
1205 18	2205 9	*Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$0

\*or number of previously paid, if greater. For reissues, see below.

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge-late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex-parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1840*	1805 1840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 400	2252 200	Extension for reply within second month	
1253 920	2253 460	Extension for reply within third month	
1254 1,440	2254 720	Extension for reply within fourth month	
1255 1,960	2255 980	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,280	2453 640	Petition to revive - unintentional	
1501 1,280	2501 640	Utility issue fee (or reissue)	
1502 460	2502 230	Design issue fee	
1503 620	2503 310	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt.	180
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 740	2809 370	Filing a submission after final rejection (37 C.F.R. 1.129(a))	
1810 740	2810 370	For each additional invention to be examined (37 CFR 1.129(b))	
1801 740	2801 370	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$180

## SUBMITTED BY

Complete (if applicable)

Name (print type) Howard Eisenberg

Registration No. 36,789

Telephone (503) 227-5631

Signature

*Howard Eisenberg*

Date

September 22, 2003

RECEIVED  
OCT 01 2003  
TECH CENTER 16042900